



INTELLECTUAL PROPERTY
402-391-4448

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January 23, 2004

Commissioner for Patents
Box: 1450
Alexandria, VA 22313-1450

22387 U.S.PTO
10/765732
012704

RE: SUBMITTAL OF CIP APPLICATION TITLED: "ELLIPSOMETRIC INVESTIGATION OF THIN FILMS"; which Claims benefit of Provisional 60/444,333, Filed 01/31/03.

Dear Sir;

Please find enclosed a CIP Patent Application as identified, an executed Declaration, a Small Entity Status Form, a Request of Non-Publication, an Information Disclosure, and a check for \$385.00 Basic Fee.

Please enter the enclosed Application for Examination.

Sincerely,

JAMES D. WELCH

JW/hs

ENC.

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

Approved for use through 10/31/2002 OMB 0651-0031
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

| | |
|----------------------|--|
| First Named Inventor | JOHS |
| Title | ELLIPSOMETRIC INVESTIGATION OF THIN... |
| Atty Docket Number | |

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

1-23-04

Date

Blaine D. JOHS

Signature

BLAINE D. JOHS

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(III)).

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.